

R E M A R K S

Reconsideration of the rejection contained in the Office Action of March 25, 2003 is respectfully requested.

All Claims pending in the application, namely 1 to 23, stand rejected under anticipatory and obviousness grounds.

In particular, Claims 1, 2, 4, 5, 6, 7, 8, 10, 11, 13-18, 20-23 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,806,398 to Martin, Jr., et al; Claims 1, 2, 3, 6, 7, 10, 11, 12, 15-19, 21, 22 and 23 stand rejected as anticipated by U.S. Patent No. 5,565,252 to Finestone et al.; Claims 1, 4-10, 13-17, 20 and 23 stand rejected as anticipated by U.S. Patent No. 3,924,051 to Wiggins et al.; and Claims 5, 6, 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wiggins et al. ('051) or Martin, Jr. ('398).

Claims 3, 4, 12, 13, 16, 19 and 20 were objected to by the Examiner because of informalities. Independent Claims 1, 10 and 17 were amended to contain the limitations of Claims 2,3,4; 11,12,13; and 18,19,20 respectively, and accordingly are canceled. In the new independent claims 1, 10 and 17 the word "catalyzed" was inserted following "metallocene".

The extra period after the number 16 was deleted. No new matter was added by these amendments.

Anticipatory Claim Rejections - 35 U.S.C. §102(b)

Claims 1, 2, 4, 5, 6, 7, 8, 10, 11, 13-18, 20-23 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,806,398 to Martin, Jr., et al; Claims 1, 2, 3, 6, 7, 10, 11, 12, 15-19, 21, 22 and 23 stand rejected as anticipated by U.S. Patent No. 5,565,252 to Finestone et al.; Claims 1, 4-10, 13-17, 20 and 23 stand rejected as anticipated by U.S. Patent No. 3,924,052 to Wiggins et al.. Applicant's respectfully disagree.

It is axiomatic that "[f]or a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be identically shown in a single reference." *In re Bond*, 910 F.2d 831, 832, 15 USPQ 1566, 1567 (Fed. Cir. 1990).

As currently amended independent Claim 1 recites: "a laminated paper stock comprised of: at least one biaxially oriented polymeric film selected from the group consisting of polypropylene, polyester, nylon, polystyrene, polyethylene, low density polyethylene (LDPE), linear low density polyethylene (LLDPE), metallocene catalyzed low density polyethylene (m-

IP 6141

LDPE) and high density polyethylene (HDPE); an adhesive material selected from the group consisting of low density polyethylene (LDPE), linear low density polyethylene (LLDPE), metallocene catalyzed low density polyethylene (m-LDPE), high density polyethylene (HDPE), polypropylene (PP), ethylene vinyl acetate (EVA), ethylene methyl acrylate (EMA), ethylene acrylic acid (EAA), polyethylene terephthalate (PET) and Ionomer; and a paper substrate."

The other independent pending in the application, namely Claims 10 and 17, have been amended to contain similar limitations that were previously found in respective dependent claims.

As now amended, Martin ('398); Finestone ('252) and Wiggins ('052) do not contain every element of the present invention as embodied in independent Claims 1, 10 and 17, and thus are not anticipatory of these claims. Accordingly, Applicants believe that these rejections have been overcome and should be withdrawn.

**Claim Rejections - 35 U.S.C. §103(a)
Wiggins et al. ('051) or Martin ('398)**

Claims 5, 6, 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wiggins et al. ('051) or Martin ('398). The Examiner states that both Wiggins and Martin disclose printed films used in the packaging arts and that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have printed the surface layer of the plastic or the paper or both depending on how the packaging was used. Applicant's respectfully disagree.

Wiggins ('051) discusses the cling and barrier features of oriented vinylidene-chloride (Saran) and the limitations of this material when exposed to heat during hot melt gluing and thermoforming operations. In particular, Wiggins discloses a process for producing coated Saran films to allow the laminate structure to be further processed with heat without losing functionality. It is known in the art that Saran is not easily printed using typical printing operations. Unlike the present invention, the materials used provide for high quality printing in preferred applications such as ream wrap.

Martin discloses a paperboard/polyester film laminate which differs from the invention in the use of an amorphous side of the polyester layer to allow heat seal functionality to an adjacent polyolefin coating. Further, the present invention uses a hot melt glue while Martin discloses heat sealability of the backside

layer. Unlike the invention, high quality graphic printing is not a characteristic of Martins disclosure.

Thus, neither Wiggins et al. nor Martin, teach or disclose the invention high quality printing. Accordingly, Applicants believe that these rejections have been overcome and should be withdrawn.

Applicants submit that this application is now in condition for allowance. No new matter has been introduced by this Amendment. Reconsideration of this application and allowance of pending claims 1 to 23 is hereby requested. If a telephone interview would be useful to advance this case, then the Examiner is invited to telephone the undersigned.

Respectfully submitted,
ONOFRIO LAW
Attorneys for Applicants

By: 

Dara L. Onofrio
Reg. No. 34,889
1133 Broadway - Suite 1600
New York, N.Y. 10010
(212) 871-6112 (phone)
(212) 871-6113 (fax)

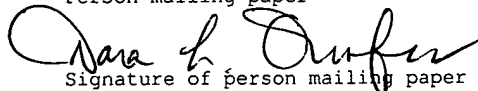
CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner For Patents
PO BOX 1450
Alexandria, Virginia 22313-1450

Dated: September 25, 2003

Dara L. Onofrio
Person mailing paper


Signature of person mailing paper